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April 22, 2022

VIA ELECTRONIC FILING

The Honorable Jocelyn G. Boyd
Chief Clerk/Executive Director
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, SC 29210

**Re: Public Service Commission Review of South Carolina Code of Regulations
Chapter 103 Pursuant to S.C. Code Ann. Section 1-23-120(J)
Docket Number: 2020-247-A**

Comments on Rate Case Notice & Newspaper Notice Templates

Dear Ms. Boyd:

On April 5, 2022, Commission Staff issued a Revised Notice scheduling a follow-up workshop to discuss Commission notices issued for rate cases and for newspaper publication for Friday, April 29, 2022 at 11:00 a.m. In addition to scheduling the follow-up workshop, the Revised Notice also requested written comments be filed by Friday, April 22, 2022. Duke Energy Carolinas, LLC and Duke Energy Progress, LLC (collectively, the “Companies”) will participate in the workshop scheduled for April 29, 2022, represented by Lisle Traywick, and are writing to provide their input on the rate case notice template (“Rate Case Notice”) and the newspaper notice template (“Newspaper Notice”) that were attached to the Revised Notice.

Rate Case Notice

At the outset, the Companies would like to address a recommendation made at several prior workshops related to the font size used in bill inserts. To date, the Commission has not issued any order or directive instructing the Companies to provide copies of the Commission’s notices to customers using 12-point font. However, several parties have recommended 12-point font as a minimum font size that should be used for bill inserts. The Companies have determined that it is possible to utilize 12-point font for bill inserts when notices issued by the Commission are no greater in length than 1 page, front and back. However, the use of a large font size increases costs to customers. Specifically, the Companies’ bill insert dimensions are 3.5” wide x 6.6” tall compared to the 8.5” wide x 11” tall documents used by the Commission. At present, the Companies send out Commission notices on a one-page bill insert, front and back, using approximately 8-point font. Should the Commission order the Companies to use 12-point font, the same notice would require a two-page bill insert, front and back. The cost to send a one-page bill insert in black and white print

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is approximately \$5,719.35 compared to approximately \$10,629.00 for a two-page bill insert. This is a cost increase of around 80%. The maximum size document that can be sent as a bill insert is four pages, front and back, and the costs to customers increase each time new pages are added.

The Companies would also like to address the colored font and highlighting included in the Rate Case Notice. The Companies have confirmed that, while it is possible to send bill inserts and direct mailers with colored font and highlighting, it will increase costs to customers. The cost to send a one-page bill insert in black and white print is \$5,719.35 compared to \$6,749.20, which is the cost to send a one-page bill insert in colored print. This is a cost increase of around 18%.

The Companies would also suggest that one way to reduce the length of the Rate Case Notice would be to provide customers with separate notices for the filing of the application and the evidentiary hearing and for the public night hearings. In Duke Energy Progress, LLC's last rate case in Docket No. 2018-318-E, the Commission issued one Notice of Filing and Hearing and Prefile Testimony Deadlines on November 26, 2018 and separately issued a Notice of Public Night Hearing on February 20, 2019. Similarly, in Dominion Energy South Carolina, Inc.'s recent rate case in Docket No. 2020-125-E, the Commission issued one Notice of Filing and Hearing and Prefile Testimony Deadlines on August 28, 2020 and separately issued a Notice of Public Night Hearing on October 5, 2020. The Rate Case Notice included in this docket appears to contemplate combining the two types of notices into one document, and the Companies have concerns that this will unnecessarily lengthen the Rate Case Notice and cause confusion among customers as to the purpose of the different hearings and hearing dates. Therefore, the Companies recommend the Commission continue with its long-held practice of issuing a single notice related to the filing of an application and the evidentiary hearing and a separate notice related to public night hearings.

Additionally, the Companies would reiterate the substance of their comments filed on May 18, 2021 in this docket. As previously noted, there are limitations on the number of bill inserts that can be distributed in a given month due to postal restrictions for bill mailers, the size of the bill insert, bill insert slots that are available, and length of the Commission notice. Given the compressed timeline that exists for rate cases, the Companies again urge the Commission to adopt a more flexible approach to the method of communication used. For example, instead of requiring that the Companies provide Commission notices to customers "by U.S. Mail via bill inserts," as has been the Commission's practice as of late, the Clerk's Office should instead issue transmittal letters permitting the Companies to send Commission notices to customers "via mail." This would allow the Companies to utilize bill inserts where possible but would also provide the flexibility necessary to meet deadlines using direct mailers where the timeframe is compressed, such as in rate cases. The Companies note that S.C. Code Ann. Regs. 103-817(C)(3)(A) provides that the Chief Clerk "may require that the Notice of Filing be mailed to customers and other persons and a certificate of mailing be filed on or before the return date." The regulation, as written, does not require Commission notices to be provided with a copy of the customer's bill.

Lastly, at the top of the Rate Case Notice, below the title, "Notice of Filing and Public Hearings," the full docket or caption title should be used. This eliminates the need for the fifth bullet point below ("State Name of Filing as It Appears in the DMS").

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Newspaper Notice


With respect to the Newspaper Notice, the Companies recommend including the contact information for the applicant, the Office of Regulatory Staff, and the Department of Consumer Affairs. Additionally, it appears that the “Statement of legal authority and jurisdiction for hearing” and the “Reference to Particular sections of statutes and rules involved” sections could be combined.

* * * *

In sum, the Companies continue to support the Commission’s and Commission Staff’s efforts to create notices that allow customers to understand the proceedings that take place before the Commission. The Companies offer these recommendations in the hopes of providing clarity to customers and promoting efficiency throughout the notice and bill insert process.

By copy of this letter, I am serving all parties of record via electronic mail.

Sincerely,

A handwritten signature in blue ink that reads "Katie M. Brown". The signature is written in a cursive, flowing style.

Katie M. Brown

cc: Parties of record